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SONJA ALVAREZ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SALVADOR SILVA, DECEASED, by and through)
his Successor in Interest, SONJA ALVAREZ,)
SONJA ALVAREZ, Individually,)

Plaintiff,

vs.

SAN JOAQUIN COUNTY, a public entity; SAN)
JOAQUIN COUNTY SHERIFF-CORONER)
PATRICK WITHROW, in his individual and official)
capacities; ROBERT HART, M.D.; FOZIA NAR,)
L.V.N.; MARY CEDANA, R.N.; SARAI)
HARDWICK, L.V.N.; CYNTHIA BORGES-)
ODELL, MFT; NICHOLE WARREN, P.T.;)
MANUEL RODRIGUEZ-GALAVIZ, MFT;)
MARICEL MAGAOAY, L.V.N.; MANDEEP)
KAUR, R.N.; CHERYL EVANS, A.S.W.;)
CHRISTEL BACKERT, FNP; ROBYN MENDOZA,)
NP, and DOES 1–20; individually, jointly, and)
severally,)

Defendants.

Case No. 2:20-cv-01461-JAM-KJN

**STIPULATION AND ORDER TO
MODIFY PRETRIAL
SCHEDULING ORDER (ECF
Nos. 33, 37, 42, 45, 48)**

1 All parties, by and through their counsel of record, stipulate and hereby move this Court to
 2 modify its January 10, 2024, Scheduling Order (ECF No. 48). Good cause exists to grant the
 3 requested extension:

4 1. This is a civil rights, wrongful death, and survival action arising from the suicide of
 5 pretrial detainee, Salvador Silva, on August 1, 2019, at the San Joaquin County jail.

6 2. This case involves thirteen named Defendants. The parties previously informed the
 7 Court of their difficulties scheduling discovery in this matter, due to the medical conditions of some
 8 Defendants and witnesses, the death of Plaintiff's counsel's father, repeated Covid infections, and
 9 the trial preparation schedules for counsel. (ECF Nos. 41, 43, 48).

10 3. Since the January 10, 2024, Order modifying the scheduling order, Defendants'
 11 counsel was preparing for and in trial, in a case that just settled on February 5, 2024. The parties are
 12 now scheduling final depositions in this matter. Expert disclosures are currently due on February
 13 23, 2024, and the parties' experts need to review the final deposition transcripts before completing
 14 their reports.

15 4. The parties are represented by experienced counsel who have worked cooperatively
 16 together throughout this litigation and will continue to do so.

17 5. With guidance from the Court, the parties request a continuance of the deadlines in
 18 this case, as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Expert Disclosures	February 23, 2024	March 29, 2024
Rebuttal Expert Disclosures	March 8, 2024	April 12, 2024
Joint Mid-Litigation Statement (two weeks before discovery cutoff)	April 5, 2024	May 3, 2024

Expert Discovery Cutoff	April 19, 2024	May 17, 2024
Fact Discovery Cutoff	April 19, 2024	May 17, 2024
Dispositive Motion Filing	April 30, 2024	No change
Dispositive Motion Hearing	June 4, 2024, 1:00 p.m.	No change
Final Pretrial Conference	July 19, 2024, at 10:00 a.m.	No change
Trial	August 26, 2024, at 9:00 a.m.	No change

For the foregoing reasons, the parties respectfully request that this Court enter an order modifying the Scheduling Order in this case as set forth above.

Dated: February 12, 2024

HADDAD & SHERWIN LLP

/s/ Julia Sherwin

JULIA SHERWIN
Attorneys for Plaintiff

Dated: February 12, 2024

BURKE, WILLIAMS & SORENSON, LLP

/s/ Gregory R. Aker

GREGORY R. AKER
Attorneys for Defendants

ORDER

Based on the parties' stipulation, and with good cause appearing,

IT IS HEREBY ORDERED that the Pretrial Scheduling Order (ECF Nos. 33, 37, 48) is modified as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Expert Disclosures	February 23, 2024	March 29, 2024
Rebuttal Expert Disclosures	March 8, 2024	April 12, 2024
Joint Mid-Litigation Statement (two weeks before discovery cutoff)	April 5, 2024	May 3, 2024
Expert Discovery Cutoff	April 19, 2024	May 17, 2024
Fact Discovery Cutoff	April 19, 2024	May 17, 2024
Dispositive Motion Filing	April 30, 2024	No change
Dispositive Motion Hearing	June 4, 2024, at 1:00 p.m.	No change¹
Final Pretrial Conference	July 19, 2024, at 10:00 a.m.	No change
Trial	August 26, 2024, at 9:00 a.m.	No change

All other instructions contained in the November 02, 2020, Pretrial Scheduling Order (ECF No. 10) shall remain in effect.

IT IS SO ORDERED.

Dated: February 15, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE

¹ Calendars are subject to last minute changes. Contact the Courtroom Deputy for available dates.